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TOCAD AMERICA, INC.

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

JOBY, INC.,

Plaintiff,

v.

TOCAD AMERICA, INC.,

Defendant.

Case No. 3:07-cv-06455-SI

PROOF OF SERVICE

PROOF OF SERVICE

I, Cynthia D. Wides, declare:

I am a citizen of the United States and employed in San Francisco County, California. I am over the age of eighteen years and not a party to the within-entitled action. My business address is Four Embarcadero Center, Suite 2400, San Francisco, California 94111-4131. On June 20, 2008, I served a copy of the within document(s):

DEFENDANT'S MEMORANDUM IN SUPPORT OF MOTION FOR SUMMARY JUDGMENT [DOCUMENT SUBMITTED UNDER SEAL]

DECLARATION OF BRANDY R. MCMILLION IN SUPPORT OF DEFENDANT'S MOTION FOR SUMMARY JUDGMENT [DOCUMENT SUBMITTED UNDER SEAL]

- ☐ by transmitting via facsimile the document(s) listed above to the fax number(s) set forth below on this date before 5:00 p.m.
- ☐ by placing the document(s) listed above in a sealed envelope with postage thereon fully prepaid, in the United States mail at San Francisco, California addressed as set forth below.
- ☒ by placing the document(s) listed above in a sealed FedEx envelope and affixing a pre-paid air bill, and causing the envelope to be delivered to a FedEx agent for delivery.
- ☐ by personally delivering the document(s) listed above to the person(s) at the address(es) set forth below.

Virginia DeMarchi
Fenwick & West LLP
Silicon Valley Center
801 California Street
Mountain View, CA 94041

I am readily familiar with the firm's practice of collection and processing correspondence for mailing. Under that practice it would be deposited with the U.S. Postal Service on that same day with postage thereon fully prepaid in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if postal cancellation date or postage meter date is more than one day after date of deposit for mailing in affidavit.

I declare that I am employed in the office of a member of the bar of this court at whose direction the service was made.

1 I declare under penalty of perjury under the laws of the State of California that the above
2 is true and correct.

3 Executed on June 20, 2008, at San Francisco, California.

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6 Cynthia D. Wides

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Next business morning.* Friday
shipments will be delivered on Monday
unless SATURDAY Delivery is selected.☐ **FedEx Standard Overnight**
Next business afternoon.*
Saturday Delivery NOT available.**Packages up to 150 lbs.**☐ **FedEx First Overnight**
Earliest next business morning
delivery to select locations.*
Saturday Delivery NOT available.☐ **FedEx 2Day**
Second business day.* Thursday
shipments will be delivered on Monday
unless SATURDAY Delivery is selected.☐ **FedEx Express Saver**
Third business day.*
Saturday Delivery NOT available.

FedEx Envelope rate not available. Minimum charge: One-pound rate.

* To most locations.

4b Express Freight Service☐ **FedEx 1Day Freight***
Next business day.** Friday
shipments will be delivered on Monday
unless SATURDAY Delivery is selected.☐ **FedEx 2Day Freight**
Second business day.** Thursday
shipments will be delivered on Monday
unless SATURDAY Delivery is selected.**Packages over 150 lbs.**☐ **FedEx 3Day Freight**
Third business day.**
Saturday Delivery NOT available.

* Call for Confirmation.

** To most locations.

5 Packaging☐ **FedEx
Envelope***☐ **FedEx Pak***
Includes FedEx Small Pak,
FedEx Large Pak, and FedEx Sturdy Pak.☐ **FedEx
Box**☐ **FedEx
Tube**☒ **Other**

* Declared value limit \$500.

6 Special Handling☒ **SATURDAY Delivery****NOT Available for**
FedEx Standard Overnight,
FedEx First Overnight, FedEx Express
Saver, or FedEx 3Day Freight.☐ **HOLD Weekday**
at FedEx Location
NOT Available for
FedEx First Overnight.☐ **HOLD Saturday**
at FedEx Location
Available ONLY for
FedEx Priority Overnight and
FedEx 2Day to select locations.

Does this shipment contain dangerous goods?

One box must be checked.

☐ **No**☐ **Yes**
As per attached
Shipper's Declaration.☐ **Yes**
Shipper's Declaration
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Dry ice, 9, UN 1845

x _____ kg

Dangerous goods (including dry ice) cannot be shipped in FedEx packaging.

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†Our liability is limited to \$100 unless you declare a higher value. See back for details. By using this Airbill you agree to the service conditions on the back of this Airbill and in the current FedEx Service Guide, including terms that limit our liability.

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If you require a signature, check Direct or Indirect.

☐ **No Signature
Required**
Package may be left
without obtaining a
signature for delivery.☐ **Direct Signature**
Someone at recipient's
address may sign for
delivery. Fee applies.☐ **Indirect Signature**
If no one is available at
recipient's address, someone
at a neighboring address may
sign for delivery. Fee applies.

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